

HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHEL LABADIE,

Defendant.

NO. CR06-0354JLR

ORDER GRANTING MOTION  
TO CONTINUE TRIAL DATE

This matter having come before the Court on the motion of Defendant Michel Labadie for a continuance of the trial date, the Court having considered the motion, as well as the response of the United States of America, by and through John McKay, United States Attorney, and Jeff C. Sullivan and J. Tate London, Assistant United States Attorneys for the Western District of Washington,

The Court hereby makes the following findings and enters the following order:

1. Defendant Michel Labadie was arrested on September 9, 2006, and arraigned on October 12, 2006. Trial is scheduled to commence on December 5, 2006.
2. On November 6, 2006, Defendant moved for a continuance of the December 5, 2006 trial date.
3. In the motion, Defendant represented to the Court that a continuance of the trial date was warranted to enable defendant's newly retained attorney to prepare for trial. The Court adopts these representations as facts for purposes of ruling on the motion.

1 4. The government, in its response to the motion, did not oppose a trial  
2 continuance.

3 5. Defendant has waived his right to a speedy trial and has filed a written  
4 waiver of speedy trial with the Court for the period up to **March 13, 2007**.

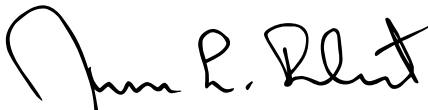
5 6. The Court further finds that the ends of justice outweigh the best interest of  
6 the public and the defendant in a speedy trial, and that a failure to grant a continuance  
7 under these circumstances would result in a miscarriage of justice.

8 Based on these findings of fact,

9 IT IS HEREBY ORDERED that the trial date is continued from December 5, 2006  
10 to **March 13, 2007**.

11 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,  
12 Section 3161(h), the period of time from the current trial date to the new trial date is excluded  
13 in the computation of time under the Speedy Trial Act.

14 DATED this 7th day of November 2006.

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18 JAMES L. ROBART  
United States District Judge

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20 Presented by:

21 s/ Jeff C. Sullivan  
22 JEFF C. SULLIVAN  
Assistant United States Attorney

23 s/ J. Tate London  
24 J. TATE LONDON  
Assistant United States Attorney  
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